

SDNY  
Hon. Koeltl  
07-cv-8493

**UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT**  
Thurgood Marshall U.S. Courthouse at Foley Square 40 Centre Street, New York, NY 10007 Telephone: 212-857-8500

**MOTION INFORMATION STATEMENT**

Caption (use short title)

Docket Number(s):

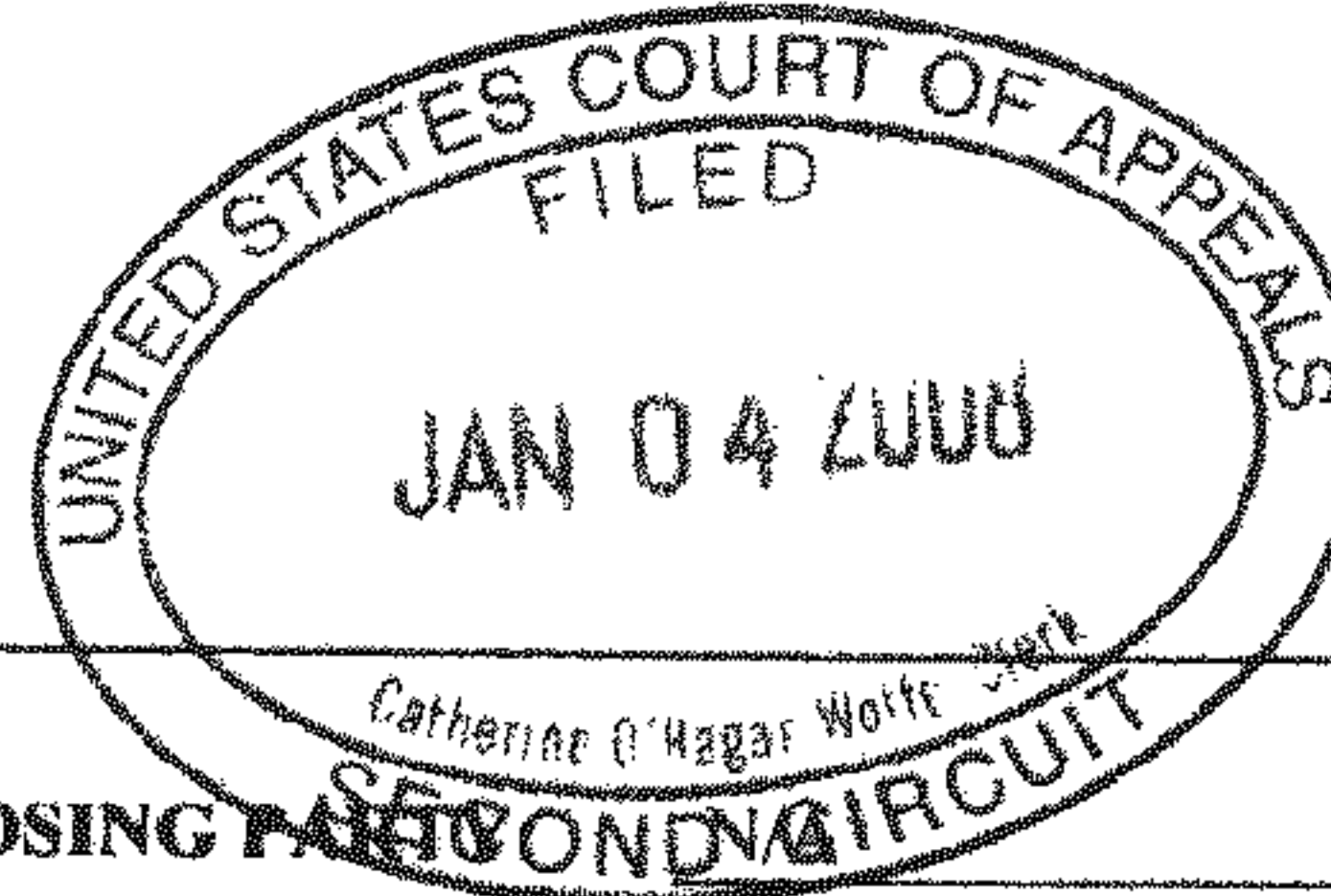
07-5237-bk(L), 07-5381-bk, 07-5498-bk

In re: Calpine Corporation

Motion for: Joint Motion for Voluntary Dismissal of Appeal

Set forth below precise, complete statement of relief sought:

The Appellants seek to voluntarily dismiss the appeals currently pending.



MOVING PARTY:

☐ Plaintiff

☐ Defendant

☒ Appellant/Petitioner

☐ Appellee/Respondent

OPPOSING PARTY:

MOVING ATTORNEY: Dennis Dunne on behalf of Aristeia Capital L.L.C. et al.; Sarah Reid on behalf of HSBC; Erez Gilad on behalf of Dillon Read U.S. Finance L.P. et al.; Ian S. Fredericks on behalf of Manufacturers & Traders Trust Co.

OPPOSING ATTORNEY [Name]:

[name of attorney, with firm, address, phone number and e-mail]

[name of attorney, with firm, address, phone number and e-mail]

[SEE BELOW]

Court-Judge/Agency appealed from: United States District Court, Southern District of New York – Honorable John G. Koeltl

Please check appropriate boxes:

Has consent of opposing counsel:

A. been sought?

☒ Yes

☐ No

B. been obtained?

☒ Yes

☐ No

Is oral argument requested?

☐ Yes

☒ No

(requests for oral argument will not necessarily be granted)

Has argument date of appeal been set?

☐ Yes

☒ No

If yes, enter date

**FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:**

Has request for relief been made below?

☐ Yes

☐ No

Has this relief been previously sought in this Court?

☐ Yes

☐ No

[Requested return date] and explanation of emergency:

Signature of Moving Attorney: [Signature]

Date: January 4, 2008

Has service been effected?

☒ Yes

☐ No

[Attach proof of service]

IT IS HEREBY ORDERED THAT the motion is GRANTED DENIED.

ORDER

Joint motion for voluntary dismissal of appeals is granted.

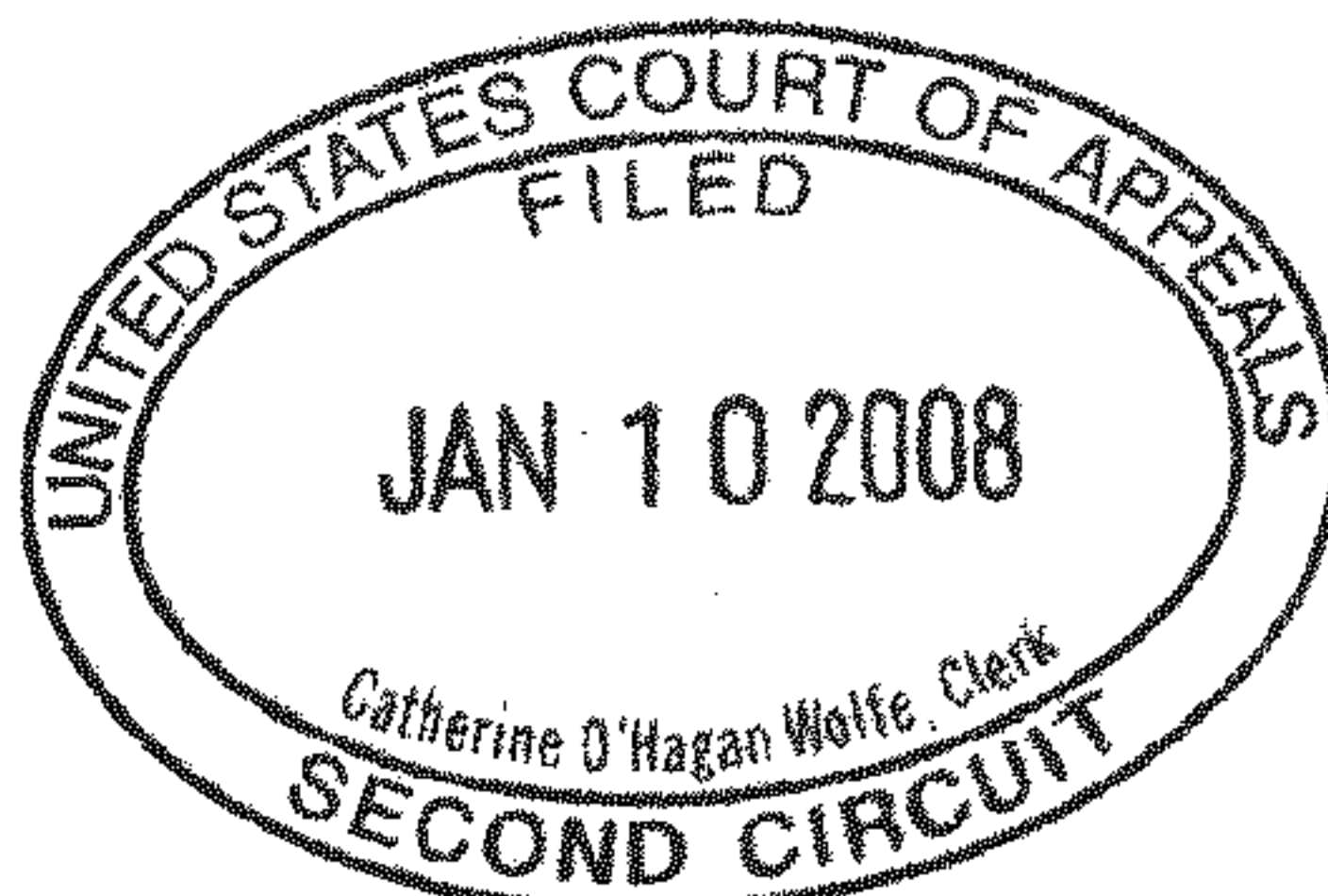
FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

By:

Judy Pisanant

Judy Pisanant, Motions Staff Attorney



A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk  
by [Signature]  
DEPUTY CLERK

CERTIFIED:

2/8/08